

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DENNIS SMITH,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL  
SECURITY,

Case No. 13-CV-14750  
HON. GEORGE CARAM STEEH  
MAG. JUDGE PATRICIA MORRIS

Defendant.

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ORDER ACCEPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION [Doc. 12]

This matter is before the court on the parties' cross-motions for summary judgment as to plaintiff Dennis Smith's claim for judicial review of defendant Commissioner of Social Security's decision that he is not entitled to social security disability benefits. On November 5, 2014, Magistrate Judge Patricia Morris issued a report and recommendation recommending that plaintiff's motion for summary judgment be denied and that defendant's motion for summary judgment be granted.

The court has reviewed the file, record, and magistrate judge's report and recommendation. Objections to that report have not been filed by either party and the time period for doing so has expired. The failure to file objections to a report and recommendation generally constitutes a waiver of the right to appeal the judgment of the district court. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *Alspaugh v. McConnell*, 643 F.3d 162, 166 (6th Cir. 2011). Accordingly,

IT IS ORDERED that the court ACCEPTS and ADOPTS the magistrate judge's report and recommendation (Doc. 12).

IT IS FURTHER ORDERED that the Commissioner's motion for summary judgment (Doc. 11) is GRANTED and plaintiff's motion for summary judgment (Doc. 9) is DENIED for the reasons set forth in the report and recommendation.

Dated: January 6, 2015

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 6, 2015, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk